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No. 10-934

In The
Supreme Court of the United States

Arkalgud N Lakshminarasimha
Petitioner

Federal Bureau of Investigations
Attorney General
Office of Presidency of United States

Respondents

On the Petition for Writ of Certiorari
To United States Court of Appeals
For the Fourth Circuit

PETITION FOR REHEARING

Arkalgud N Lakshminarasimha
Pro Se
227 Mabley Place, Cary, NC 27519
(919) 534-6554
USA

Rehearing Questions Presented

1. Can courts deny a process of judicial remedy claimed in this litigation where facts can be shown to Jury by holding public officials accountable when these offices they represent have ignored the transgressions of others brought to their attention which has affected the life, liberty and justice of the petitioner of the complaint?

2. When State knew or can shown to be so that local law enforcement had falsified complaint, when subpoenaed witness were not present, calendared Judge did not appear in court, can State then dismiss the case without providing defense an opportunity to be heard in court? Can State courts continue with other hearings the same day, venue and time without providing details and inform litigants what is occurring in the court room when assigned Judge was not present and by leaving defense in the dark?

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Petition for Rehearing

Background

This matter comes before the court for rehearing. Supreme Court case 10-934 is borne out of a emergency 911 call, followed by a federal case in Raleigh, NC 5:09-CV-375-FL (NC federal) with a motion to seal. Emergency situation has not changed. Complaint claim family destabilization, employment discrimination and unequal treatment in courts have occurred and are aimed at controlling one's life, financial situation, liberties, future destiny and what actions one could take among other implied purposes, therefore constitute organized crime and government has not helped in a timely manner. This has resulted in irreversible, irreconcilable damage. The case has enormous significance for millions of families who are unaware cause of their misery or injustice. Petition before the court is aimed at seeking a level playing field and for "Equal Justice for All" to prevail.

FACTS were Verifiable and not Hypothetical as US Attorney Claims.

It is jury which will determine facts, and if a complaint has been answered, not court which has not even conducted hearing. I have provided sufficient evidence in my already submitted petition, that there are fundamental issues in rendering equal justice, issues with checks and balance, government may not tell the truth in all instances, there is bias in the make up of the Supreme Court and issues

with process of cases it selects to hear. These assertions are based on facts and material I have submitted to the government. Supreme Court is required to answer to this and cannot ignore. Further, fundamental ethics issue is in front of the court. Court or Attorney representing the government can use selective information and ignore others, and without conduct hearing a judge can state case has been answered, and close the case without rendering equal justice.

Specific names, locations and situations which US Attorney was seeking has been answered (was already there with FBI)) in my petition, yet attorney is not answering, his name does not even appear in the docket even though he has been served. The petition for certiorari had answered to all objections raised by Mathew Fesak, US attorney, who indicates that he was appearing in a limited role, acknowledges Attorney General and Office of President have been served the complaint, but claim to represent all parties in conclusion of his **Nov 2009** response to order. When I have objection to this, none of the responsible parties have responded. As such fundamentally, how can an attorney with limited role capacity, represent all parties, and object to get case dismissed for all. Further, Office of President and Attorney General have ignored the Court order to Answer. Further Fesak has not answered the ethics question if he had clerked under presiding Judge. Since court has not conducted any hearing and denied my calendar request has put me "unequal before the court". Since only one of the three parties has responded, court has ignored the

responsibility and accountability of others, and has treated the petitioner unequally. This matter is explained in more detail later where Office of President has tried to resolve a legal issue of a friend and does not care to answer complaint legally brought to his attention.

When numerous parties, friends of court respond to Supreme Court docket, why does US Attorney Fesak, or Eric Holder or Office of President not respond? Further why names of attorneys representing FBI, Eric Holder and Office Of president who have been served are not in the docket? Why only office of Solicitor General in respondent's list and not others? Issues related to clerks of court, and checks and balance are clearly mentioned in my Petition. When questions related to this have been posed, processing of motion issues with Supreme Court has been posed why no one is responding? These factors amount to delay and attrition.

Because of organized harassment and crime, I had asked for motion to seal. Court could have asked the government parties to review, answered my complaint, conducted conference and then based on sufficient grounds could have then made information public, after providing an opportunity to be heard. Instead, government to begin with has denied motion to seal destroying my case. US attorney representing government says I have served FBI and not him, when FBI says they are represented by US attorney's office. All FBI had to do was give complaint to US attorney. More importantly, US attorney is representing FBI, and I have given

specific names and corporations and event details, and attorney claims, of "hypothetical unnamed parties". This is blatantly false statement, from an attorney representing government which includes FBI. I have given sufficient reasons in my petition why checks and balances are not working, and there are court support system issues. This fact combined with Fesak representing government in limited role, does not WANT TO DO THE WORK to meet with FBI to verify facts, other two parties who have not answered complaint at all, and lower COURT WANTS TO IGNORE my case without hearing. These are sufficient reasons for Supreme Court to reverse lower court decision and approve my petition. I also have shown to Supreme Court, government even under oath, does not tell TRUTH which I have shown to be fact in my Petition for Certiorari and right here as well.

US attorney in Nov 2009 response, cites "asserts claims against parties against parties other than United States", "Government has no authorities against hypothetical unnamed parties".. My petition provides clear names, organizations and associations. As such this claim is again blatantly false and wrong. A hearing which I have demanded in lower court could have clarified this as well. Just like in courts, US patent office also has issues which deliberately discriminates individuals like me. There are not one but two specific issues with Patent office one about administration (evaluation part is separate), and deliberate employment discrimination in which I have provided specific name and basis of discrimination. Again Government and US attorney

are wrong. In fact my petition of certiorari provides examples of what I would have proven in a jury trial. Parties representing the government deliberately have ignored these specific instances and have not answered. If they had answered, it would have contradicted their claim, again proving Supreme Court must reverse the lower court decision.

US Attorney Fesak says petitioner's complaint is "vague", states, "failure to plead specific time, place or person in the alleged conspiracy" is fatal deficiency. This is totally wrong. US Attorney, FBI or other government parties have not reviewed material I have provided. Specific issue related to US mail is in complaint, specific individual and organization involved in employment discrimination is in complaint, more seriously numerous violations related to "Ex Parte family court order, conduct of court, NC State who tried to incriminate me" have specific names of judges, attorneys, events, law enforcement officers who did not even appear under subpoena are all verifiable events and facts. Therefore my allegations are not "conspiracy based", but based on "more serious constitutional violations". Further specific sequence of events related to "auto accident" is there. Issues related to and surrounding this is most serious obstruction of justice and organized crime, where "school courses given to my children have coincided with serious allegation against my wife", and has occurred prior to family lawsuit, around the time frame related to my employment complaint, all of which are interrelated, consequences of which can be shown in trial. Mr. Fesak without doing his job, court which

did not conduct hearing has jeopardized my valid complaint without a jury trial and hearing. If this goes on then millions of families who may get affected where coordinated individuals entities can take advantage of innocent where one cannot come to halls of justice for resolution.

In my family related case, I contend that numerous constitutional violations have occurred when Judge had used non-verified information as FACTs, and signed temporary order using Ex Parte denied demanded jury trial to verify facts. This was indeed proven to be so, when the complaint was not answered and when court ordered trial did not occur because of custody and complaint dismissal. I defendant could hold the court liable for signing falsified complaint, since I had not done anything wrong, otherwise why will someone would withdraw complaint as soon as court orders case for trial? Further, attorney representing my wife withdrew, and FAA and Airtran had cancelled my tickets without authorization, and serious breech of my personal information. During this time again, I have provided facts where schools, my wife have used children to falsify facts again, and the State has tried to incriminate me. FBI who have been informed of details surrounding this, and Mr. Fesak representing other parties by not answering my federal complaint and instead of providing "Equal Protection" is protecting the interest of organized crime which has occurred, and therefore US government, attorney General and office of president are accountable. Details related to and surrounding this is there in my Petition.

I have shown State of NC had issued a falsified complaint against me. Hearing related to this issued in July 2008 did not occur for nearly three months and in Oct of 2008 when Judge ordered witnesses and law enforcement officers to be present, and if the presiding Judge does not show up, the ordered witnesses and law enforcement officers does not show up, how can State dismiss the case without hearing? Therefore State of NC has denied equal justice; equal protection and many other constitutional violations have occurred. Additionally, it is my contention, had this hearing conducted, then I would have moved the court to show what was the true issue, who was at fault, and instead the case was dismissed without hearing. It is then I notified FBI, and when they did not care, I have notified progressively higher officials including Attorney General and Office of President. Most serious organized crime has occurred here. When Van accident issues prior to this, school issues of creating fear to children, deliberate employment discrimination issues are all looked in detail, I contend I can show to Jury these are linked and there is organized crime. FAA and Airtran complaint federal claims are part of this complaint. I also have shown I was treated unequally in Georgia, where I was sent home after serous injury and my car was totaled. Months later, insurance tried to give money. I have not taken. My wife was left with a broken leg in Atlanta. My son was suddenly missing when he was taken to a friend's house. When these and other additional "real facts" are taken where there is name, place, and who are there, courts cannot

ignore, and give me opportunity to be heard, in court in a Jury trial. Where some investigative work may be needed local law enforcement and federal authorities have not cared. Instead US Attorney Fesak, without getting details of what I have shared with FBI, is trying to use word like "conspiracy, sensationalizing.. etc". Intrusion at work while using computer and job threat at US Navy is not hypothetical. Asking for remote work authorization till one could relocate is not hypothetical. They all have bearing relative to work-life balance, where one could reside, and provide for family. Insurance, corporate benefits, realtors, attorneys may take advantage of situation. I will show to jury how I have been discriminated at work, what has occurred when I have found job, how by creating uncertainty, controlling information, and not treating equally serious issues related to family and employment have occurred.

I believe FBI knows all details of how white collar crime of sensitization, creating fear and uncertainty is used by organized crime, and local law enforcement officers use minority family mothers and children and exploit. Government is just ignoring, since I have gathered evidence and not giving up. Specific names, places and organizations have been provided. US attorney by stating that I am trying to bring hypothetical issues is doing so fully knowing his client Government has been provided and he is misrepresenting himself.

Supreme Court should note, not only fear was created to not just one but both children, and have

occurred more than once. Supreme Court should also note, when I wanted to take deposition prior to State case, to defend myself, NC district office called and threatened me. This is obstruction of justice. FBI and US Attorney fully knowing this cannot ignore my petition or pleading. Further, when I have taken my Daughter to doctor's visit, the very same process for which I have filed for patent for prescription service was shown in front of me. While I will not be discussing about evaluation of patent here and nor this complaint is related to this, it is about "Mockery of Justice" and "Mocking Bird Rendition", which I have provided in detail in my certiorari. The same has occurred, during another Doctor visit, when I have taken my son. This is related to his sensitive course work, and to create fear. Information related to school course work, van accident, and doctor's office visit has all been explained to FBI, Laura Tripp another US attorney and Mr. Fesak without doing work is just derailing my case, and ethics charge should be lodged against him.

All these explanations are based on verifiable facts, not "hypothetical" and contradict claims of US Attorney Mr. Fesak. These information and facts are also given in my petition. Why then, US Attorney, Office of President or Attorney General not responded to my complaint. I contend this is deliberate and unjust.

Constitutional Violations

There is systemic issue relative to all people being treated equally. Specific names, locations, times where disparate set of events of discrimination, harassment, amounting to sensitization creating situation of uncertainty can be shown and has been shown, US attorney and federal court have tried to dismiss the case, because they are covering up wrong doing of others, and Supreme Court is ignoring a valid complaint and condoning serious wrong conduct of others. As such all my constitutional violations claims below are all valid.

a) Obstruction of justice during petitioning for a governmental redress of grievances
b) Equal Protection clause
c) Equal protection guarantee to act faithfully to rendering justice impartially,
d) To administer justice without respect to persons, equal justice to poor and the rich,
e) Due Process Clause
f) Denial of trial by jury,
g) Chance to question or confront witnesses in a court of law,

Therefore I clam:

I have submitted a rightful complaint 5:09-CV-375-FL (NC federal) which involve inter-related employment and family matters and disparate set of events have occurred, in multiple states and how various participants have controlled life and liberty, transgressed laws and obstructed justice when

judicial remedial resolution was sought by controlling my finances and have used family members through sensitization and indirect threat amounting to organized crime. In this situation I contend if elected public official and federal bureau of investigations when notified do not take timely action, I can hold public officials accountable, and show to Jury the facts to bring transgressors to Justice. When Office of US Attorney in Raleigh interfered with my complaint and denied my right for right for Jury Trial was nullified I contend this violated constitutional guarantees. While doing so, US Attorney has denied my right to seek Judicial Remedies or Justice has done so nullifying President's Oath to protect constitutional rights of individuals. US Attorney, a federal government employee also at the same time has nullified his oath to the constitution and has not treated me equally. These claims would have been clarified in an oral argument in Supreme Court, but denial of my petition either highlights known wrong doing by Justices of Supreme Court, or their unawareness of my petition prior to denial or deliberate retaliation issues with court processes which is part of my claim as explained in my petition highlighting bias in the makeup of Supreme Court.

Consequences of denial of my petition indicate that Office of President and its cabinet members cannot be held accountable in a court of law directly or through process of delegation in federal courts. Deliberate objections based on facts which I have shown to be false previously, after denying motion to seal also implies obstruction of justice and

interfering with my right to show to the court the modus operandi of organized crime which involve inter-related employment and family matters, and how various participants can control life and liberty, transgress laws and court can deny a forum for We the People to seek Judicial remedies. This denial has occurred when my petition document significant checks and balance issues, issues with Clerk of Court and evaluation of the justices on "Good Behavior through verifiable facts" had been sought.

While the President has tried to resolve an issue involving a friend brought to his attention through unrelated press conference, have not answered their complaint brought to their attention through court of law and therefore has treated me unequally and can be proven so in a court of law. If elected officials cannot be held accountable and if courts cannot provide a forum for such a relief, then there is no process or authority to enforce checks and balance and Constitutional right for Equal Justice would have been denied. This means President's oath to protect the constitution is void, since President can only defend the oath through process of delegation directly or indirectly.

CONCLUSION

Consequences of Denial of Petition results in Unconstitutionality of Right of We the People to hold elected officials accountable, interferes with process of seeking judicial remedies amounting to Obstruction of Justice and /or checks and balances. **This is Unconstitutional.**

Therefore, I seek Supreme Court to approve my Petition for Certiorari, reverse lower court decisions and order courts to provide a forum for a Jury Trial.

Respectfully Submitted,

Arkalgud N Lakshminarasimha
Pro Se

227 Mabley Place
Cary, NC 27519
(919) 534-6554

CERTIFICATION

The foregoing petition for rehearing is presented in good faith and not for the purpose of delay. This Petition for Rehearing is restricted to the grounds set out in Rule 44.2.

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Arkalgud N Lakshminarasimha